PATENT APPLICATION
Serial Number: 10/814,731
Attorney Docket Number: OFE 1854

REMARKS

Applicants hereby submit this Amendment A and Response to Election/Restrictions responsive to the Office Action—Date Mailed: March 25, 2008, Paper No. 20080317; for which a response is due [1] one month from the date of mailing of the Office Action: April 25, 2008; is hereby extended [1] one month by petition.

Claims 1-51 were subject to restriction and/or election requirement. Claims 1-57 are hereby currently pending. Claims 31, 33-35 and 41-43 are hereby currently amended. Claims 52-57 are hereby added as new claims. Claims 1-30, 32, 36-40 and 44-51 are original. No new matter has been added. Reconsideration is respectfully requested.

Examiner states:

> 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
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> I. Group I (claims 1-30), drawn to A wireless system for transmitting and receiving a plurality of data packets, the system comprising: a plurality of directional antenna sectors each having a respective associated three-dimensional region of space for transmitting and receiving electromagnetic signals; at least one receiving controller; at least one transmitting controller; wherein at least one of said receiving controllers is selectively coupled to at least one of the directional antenna sectors to measure received electromagnetic signal characteristics; wherein at least one of said receiving controllers selects at least one of the directional antenna sectors prior to the transmission of at least one data packet responsive to the received electromagnetic signal characteristics; and wherein at least one of said transmitting controllers is selectively coupled to at least one of the directional antenna sectors in order to transmit at least one data packet via the directional antenna sectors selected by said selected one of said at least one receiving controller wherein a selected one of said at least one receiving controller is selectively coupled to selected ones of the directional antenna sectors in a defined order in order to measure received electromagnetic signal characteristics, wherein a selected one of said at least one receiving controller prior to the transmission of at least one data packet selects at least one of the directional antenna sectors within a first defined time interval responsive to the received electromagnetic signal characteristics classified in class 455, subclass 63.5, 25.
>
> II. Group II (claims 31-42), drawn to A wireless device for transmitting and receiving a plurality of data packets, the system comprising: a first buffer

providing memory for storage; a plurality of directional antenna sectors each associated with a respective three-dimensional region in space for transmitting and receiving electromagnetic signals; at least one receiving controller; at least one transmitting controller; wherein each directional antenna sector is selectively coupled to a selected one of the at least one said transmitting controller and transmits an electromagnetic signal in a defined region in space; wherein a selected one of the at least one said receiving controller is selectively coupled to at least one of the directional antenna sectors to measure received electromagnetic signal characteristics and stores the electromagnetic signal characteristics in the first buffer, and wherein the selected one of the at least one said transmitting controllers is selectively coupled, to at least one of the directional antenna sectors for a first defined time interval for the transmission of at least one data packet responsive to the received electromagnetic signal characteristics stored in the first buffer wherein at least one of the at least one said receiving controller is coupled to at least one of the directional antenna sectors for a second defined time interval for receiving of at least one data packet, responsive to the received electromagnetic signal characteristics stored in the first buffer wherein the at least one said receiving controller is selectively coupled to the directional antenna sectors in a defined order responsive to the electromagnetic signal characteristics stored in the first buffer wherein the at least one said receiving controller is selectively coupled to the directional antenna sectors in at least one of the following patterns, responsive to the electromagnetic signal characteristics stored in the first buffer as at least: one directional antenna sector at a time, two directional antenna sectors at a time, three directional antenna sectors at a time, classified in class 370, subclass 352.

III. Group III (claims 43-51), drawn to A wireless method for transmitting and receiving a plurality of data packets, the method comprising: orienting a plurality of directional antenna sectors in three-dimensional space; selecting at least one of said plurality of directional antenna sectors to receive an electromagnetic signal; coupling at least one of said selected directional antenna sectors to receive an electromagnetic signal; measuring electromagnetic signal characteristics of the received electromagnetic signal; selecting at least one of said plurality of directional antenna sectors to transmit an electromagnetic signal; coupling at least one of said selected directional antenna sectors to transmit a transmitted electromagnetic signal; and transmitting the electromagnetic signal as a transmitted signal in a defined region in space prior to transmitting of at least one data packet responsive to the electromagnetic signal characteristic comprising: utilizing steered directional antenna sectors to orient the directional antenna sectors arranging the directional antenna sectors in a defined physical pattern, classified in class 343, subclasses 757, 702.

The inventions are distinct, each from the other because of the following reasons: Inventions I, II, and Ill are related as subcombinations disclosed as usable together

in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility a self contained wireless device for transmitting and receiving a plurality of data packets. See MPEP 806.05(d).

Applicants hereby elect Group I (claims 1-30) with traverse. New Claim 52 depends from independent Claim 1 from Group I, so that all claims in Group II (Claims 31-42) now ultimately depend from Claim 1 and belong in Group I—providing a common genus.

Claim 31 has been amended so that it is no longer an independent claim, and Claim 31 is now dependent upon Claim 1 via Claim 52. All other claims in Group II now ultimately depend from Claim 1 via Claim 52.

Independent (method) Claim 43 of Group III has been amended to parallel a method claim version of independent (system) Claim 1 of Group I, so that Claim 43, as amended, belongs in the common genus of Group I. All claims in Group III depend from amended independent (method) Claim 43, and therefore also belong in the common genus of Group I.

Additionally, new independent Claim 54 has been added by directly creating a method claim from system Claim 1 of Group I, so that Claim 54 is part of Group I. New dependent method Claims 55-57 have been directly created as method claims based upon pending system Claims 25, 28 and 29 of Group I, so that all of Claims 54-57 belong to Group I.

Thus, by this Amendment, all pending claims represent a single invention, share a common genus and belong in Group I. There are no separate, distinct inventions represented by the currently pending Claims 1-57; there is only one invention which belongs in Group I, and Group I is hereby elected with traverse.

It is respectfully submitted that by this Election and Amendment, a proper responsive Election has been provided to the Restriction requirement of the Office Action, and that all bases of Restriction, objection and rejection of the pending claims are traversed and overcome.

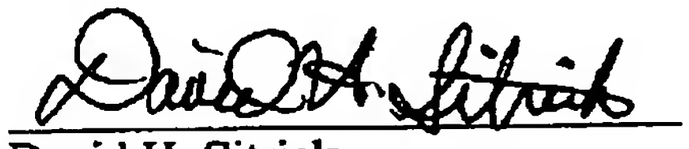
Applicants respectfully submit that the present application is in proper form for allowance. Applicants respectfully request a Notice of Allowance or a Notice of Allowability.

This response is accompanied by the appropriate Petition for Extension of Time under 37 CFR 1.136(a). A fee in the amount of $60.00 for a Petition for One-month Extension of Time is

due. Fees in the amount of $150.00 are also due for six [6] new claims are due and herewith paid via an accompanying Fee Transmittal. The Director has already been authorized to charge fees in this application to Sitrick and Sitrick's USPTO Deposit Account: 501166.

The Examiner is invited to directly communicate with the undersigned, if it will in any way facilitate the prosecution of the Application.

Respectfully submitted,



David H. Sitrick
Attorney for Applicant
Registration No. 29,349

May 23, 2008

SITRICK & SITRICK
8340 N. Lincoln Ave., Suite 201
Skokie, IL 60077
Telephone Number: (847) 677-4411
Facsimile Number: (847) 677-4656